

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

<p>FUSION ELITE ALL STARS, et al.,</p> <p style="text-align: center;">Plaintiffs,</p> <p>v.</p> <p>VARSITY BRANDS, LLC, et al.,</p> <p style="text-align: center;">Defendants.</p>	<p>Case No. 2:20-cv-02600-SHL-tmp</p> <p>JURY TRIAL DEMANDED</p>
<p>JONES, et al.,</p> <p style="text-align: center;">Plaintiffs,</p> <p>v.</p> <p>BAIN CAPITAL PRIVATE EQUITY, et al.,</p> <p style="text-align: center;">Defendants.</p>	<p>Case No. 2:20-cv-02892-SHL-tmp</p> <p>JURY TRIAL DEMANDED</p>

**DECLARATION OF ELISSA BUCHANAN IN SUPPORT OF PLAINTIFFS’
MOTION TO COMPEL THE DEPOSITION OF ADAM BLUMENFELD**

I, Elissa Buchanan, declare and state as follows:

I am an attorney at the Joseph Saveri Law Firm, LLP. (“JSLF”), counsel for Plaintiffs Jessica Jones, Michelle Velotta, and Christina Lorenzen (collectively, "Plaintiffs "), in *Jones v. Bain Capital Private Equity*, case no. 2:20-cv-02892-SHL-cgc (the “Jones” action). I am a member in good standing of the State Bar of California and have been admitted *pro hac vice* in this Court. I am over 18 years of age and have personal knowledge of the facts stated in this Declaration. If called as a witness, I could and would testify competently to them.

1. Plaintiffs first reached out to Defendants to request dates for the deposition of Mr. Blumenfeld on March 3, 2022. Defendants did not respond to the request so on March 7, 2022, Plaintiffs followed up with Defendants. On March 8, 2022, Defendants responded but did not provide any proposed dates for Mr. Blumenfeld's deposition.

2. On March 10, 2022, Plaintiffs served Defendants notice of Mr. Blumenfeld's deposition for March 31, 2022. On March 15, 2022, with no reply from Defendants, Plaintiffs again requested dates for Mr. Blumenfeld's deposition. That same day, Defendants replied that they object to producing Mr. Blumenfeld for deposition. On March 18, 2022, Plaintiffs requested that Defendants confirm that Varsity objects to producing Mr. Blumenfeld for a deposition. Defendants responded with confirmation that Blumenfeld would not be made available for a deposition and that the parties were at an impasse.

3. Attached hereto as Exhibit 1 is a true and correct copy of an email from M. Suter to C. Cary, S. Kasier, S. Haynes, M. Mulqueen and A. Baldrige with the subject line "RE: Varsity – Deposition Scheduling," dated March 3, 2022.

4. Attached hereto as Exhibit 2 is a true and correct copy of an email from M. Suter to C. Cary, S. Kasier, S. Haynes, M. Mulqueen and A. Baldrige with the subject line "RE: Varsity – Deposition Scheduling," dated March 7, 2022.

5. Attached hereto as Exhibit 3 is a true and correct copy of an email from S. Kaiser to M. Suter, G. Cary, S. Haynes, M. Mulqueen and A. Baldrige with the subject line "RE: Varsity – Deposition Scheduling," dated March 8, 2022.

6. Attached hereto as Exhibit 4 is a true and correct copy of Plaintiffs' Notice of Deposition of Adam Blumenfeld, dated March 10, 2022.

7. Attached hereto as Exhibit 5 is a true and correct copy of an email from M. Suter to J. Saveri, C. Cary, S. Kasier, S. Haynes, M. Mulqueen and A. Baldridge with the subject line “RE: Varsity – Deposition Scheduling,” dated March 15, 2022.

8. Attached hereto as Exhibit 6 is a true and correct copy of an email from S. Haynes to M. Suter, J. Saveri, C. Cary, S. Kasier, S. Haynes, M. Mulqueen and A. Baldridge with the subject line “RE: Varsity – Deposition Scheduling,” dated March 15, 2022.

9. Attached hereto as Exhibit 7 is a true and correct copy of an email from to R. Spiegel to S. Kaiser, M. Mulqueen, N. Berkowitz and B. Gaffney with the subject line “Certificate of Consultation,” dated March 18, 2022.

10. Attached hereto as Exhibit 8 is a true and correct copy of an email from M. Suter to S. Haynes, J. Saveri, C. Cary, S. Kasier, M. Mulqueen and A. Baldridge with the subject line “RE: Varsity – Deposition Scheduling,” dated March 18, 2022.

11. Attached hereto as Exhibit 9 is a true and correct copy of an email from S. Kaiser to R. Spiegel, M. Mulqueen, N. Berkowitz and B. Gaffney with the subject line “Certificate of Consultation,” dated March 18, 2022.

12. Attached hereto as Exhibit 10 is a true and correct copy of a document procuded in this action barring the bates numbers [REDACTED]

[REDACTED]

[REDACTED].

13. Attached hereto as Exhibit 11 is a true and correct copy of a document procuded in this action barring the bates numbers [REDACTED]

[REDACTED]

[REDACTED].

14. Attached hereto as Exhibit 12 is a true and correct copy of a document procuded in this action barring the bates numbers [REDACTED] [REDACTED]”.

15. Attached hereto as Exhibit 13 is a true and correct copy of a document procuded in this action barring the bates numbers [REDACTED] [REDACTED] [REDACTED].

16. Attached hereto as Exhibit 14 is a true and correct copy of a document procuded in this action barring the bates number [REDACTED] [REDACTED]”.

I declare under penalty of perjury that the foregoing is true and correct, and this Declaration is executed at Berkeley, California on March 18, 2022.

By: /s/ Elissa Buchanan
Elissa Buchanan

CERTIFICATE OF SERVICE

I hereby certify that on March 18, 2022, I served a copy of the foregoing document via the Court's ECF system, effecting service on all interested parties.

/s/ Joseph R. Saveri

Jospeh R. Saveri